

REMARKS

This Amendment is submitted in response to the Office Action mailed on January 22, 2004. Claims 1, 13, 20 and 22 have been amended, and claims 1-24 remain in the present application. Applicants' counsel appreciates the courtesy extended by Examiner Becker during the telephonic interview conducted on January 28, 2004. In view of the foregoing amendments, as well as the following remarks, Applicants respectfully submit that this application is in complete condition for allowance and request reconsideration of the application in this regard.

Claims 1-4 and 6-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schey, U.S. Patent No. 1,480,119 in view of Eason, U.S. Patent No. 3,854,392 and Troiel, U.S. Patent No. 1,630,644. Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schey in view of Eason and Troiel further in view of Hunot et al., U.S. Patent No. 6,393,971. While Applicants respectfully traverse these rejections, Applicants have amended each of independent claims 1, 13, 20 and 22 to more sharply define the present invention over the prior art of record and respectfully request that the rejections be withdrawn.

In particular, Applicants have amended each of independent claims 1, 13, 20 and 22 to positively recite a heater mounted within each of the plurality of rollers in each of the respective roller tiers. Applicants respectfully submit that the hypothetical combination sought in the rejection fails to achieve Applicants' claimed

invention and the rejections of independent claims 1, 13, 20 and 22 should be withdrawn.

In the rotisserie attachment (10) of Eason, the parallel rollers (13) are heated by heat generated by a spit rotisserie in which the rotisserie attachment (10) is suspended from a rotisserie spit. Accordingly, Eason is completely silent with respect to heaters mounted within each of the rollers as now claimed by Applicants. Moreover, one of ordinary skill in the art would not be motivated to incorporate heaters within the rollers of Eason as this would clearly destroy the intended structure and function of the Eason rotisserie attachment.

Consequently, the rejections of the pending claims over the combination of Eason, Schey, Troiel and Hunot et al. must fail since the hypothetical combination of these references as sought in the rejection, which Applicants do not concede is proper, fails to achieve Applicants' claimed invention. Applicants submit that the prior art of record fails to teach or suggest Applicants' claimed invention and Examiner's allowance of claims 1-24 is respectfully requested.

Conclusion

In view of the foregoing response including the amendments and remarks, this application is submitted to be in complete condition for allowance and early notice to this affect is earnestly solicited. If there is any issue that remains which may be resolved by telephone conference, the Examiner is invited to contact

the undersigned in order to resolve the same and expedite the allowance of this application.

Applicants do not believe that this response requires that any fees be submitted, however, if any fees are deemed necessary, these may be charged to Deposit Account No. 23-3000.

Respectfully submitted,

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